HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting.)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 1959/05 (S/S)

Laxmi Khatri

Vs

State of Uttaranchal

& others

Approved for reporting.

~~Not approved for reporting~~

Date of decision 22.12.2005

Initial of Judge

In the High Court of Uttaranchal, at Nainital.

Interim Relief Application No. 12313/2005
With

Writ Petition No. 1959(S/S) of 2005.

Laxmi Khatri D/o Harendra Singh
R/o Villalge Sethan Dhandhari,
Patti Nandlsou, Tehsil Pauri
District Pauri Garhwal ..... Petitioner.

Versus

1. State of Uttaranchal through
the Secretary Intermediate Education
Government of Uttaranchal,
Secretariat, Dehradun, Uttaranchal.

2- Director, Intermediate Education,
Uttaranchal, Dehradun.

3- Joint Director, Garhwal Mandal,
Pauri Garhwal, District Pauri
Garhwal .....Respondents.

Sri Lok Pal Singh, learned counsel for the petitioner.
Sri Harendra Balwal, learned S.C. for the respondents.

Hon'ble Rajesh Tandon, J.

Heard Sri Lok Pal Singh, learned counsel for the petitioner and Sri Harendra Belwal, learned S.C. for the respondents.

By the present writ petition the petitioner has prayed to issued writ of mandamus directing the respondents to give appointment to the petitioner to the post of Assistant Teacher L.T. Grade. The said prayer can not be granted.

Briefly stated the facts giving rise to this writ petition are that the petitioner is Science Graduate along with the subject Botany and Zoology an fulfils the minimum qualification as contemplated under sub rule 2 of 8 of U.P. Subordinate Education (Trained Graduation Grade) Service Rules 1983 and that the petitioner is also possessed of Postgraduate in Chemistry and also possessed of the degree in Bachelor of

Education from Hemwati Nandan Bahuguna Garhwal University, Srinagar (Garhwal), Uttaranchal, which is duly recognized by University Grant Commission. A chart of educational and academic qualification is reproduced as under:-

Sl. No.	Education	Year	Name Board/Institution	Percentage
1.	High School	1994	CBSE	68.80
2.	Intermediate	1996	CBSE	65.20
3.	Graduation (B.Sc.)	1999	Ch.Charan Singh University Meerut	72.13
4.	Post graduation	2001	Ch.Charan Singh University Meerut	66.44
5.	Bachelor of Education (B.Ed.)	2004	HNB, Garhwal University	Theory-64 Practical-71

It was also alleged by the petitioner that the possesses the minimum qualification mentioned in the advertisement and she applied for an appointment against the post of Assistant Teacher L.T. (Biology).

However, the petitioner has confined her grievances only to the extent that she has made a representation on 19-10- 2005, Annexure No.-3 to the writ petition regarding the appointment having been made for the post of Assistant Teacher, L.T. Grade for a which she was qualified.

Since the petitioner has filed the representation, it will be just and proper to direct the respondents to decide his representation. The petitioner has filed her representation before the respondent No.3. However, liberty is given to the petitioner to move her representation before the respondent No.2. If the petitioner files fresh representation before the respondent No.2, he will decide the same within six weeks from the date of production of certified copy of this order.

With the above observations the writ petition is disposed of finally.

(Rajesh Tandon, J.)
22-12-2005

ISB